

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

SHELTON BENOITE,

Plaintiff,

v.

J. DOERER, et al.,

Defendants.

Case No. 1:24-cv-01407-KES-HBK (PC)

ORDER ADOPTING FINDINGS AND
RECCOMENDATIONS

Doc. 24

Plaintiff Shelton Benoite is a federal prisoner proceeding pro se and in forma pauperis in this civil action. The matter was referred to a United States magistrate judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On September 25, 2025, the assigned magistrate judge issued findings and recommendations, recommending this action be dismissed without prejudice for plaintiff's failure to prosecute and comply with a court order. Doc. 24. Specifically, plaintiff did not respond to the Court's screening order directing plaintiff to file a first amended complaint, file a notice to stand on his complaint as screened, or file a notice to voluntarily dismiss his claims, despite being given two extensions of time to do so. *See* Docs. 14, 19, 23. On October 1, 2025, the parties were notified that any objections to the findings and recommendations were to be filed within fourteen days. Doc. 25. Plaintiff has not filed objections and the time to do so has expired. *See* docket.

1 In accordance with the provisions of 28 U.S.C. § 636(b)(1), the Court has conducted a de
2 novo review of this case. Having carefully reviewed the file, the Court finds the findings and
3 recommendations to be supported by the record and by proper analysis.

4 Accordingly:

- 5 1. The findings and recommendations, issued on September 25, 2025, Doc. 24, are
6 adopted in full;
- 7 2. This action is dismissed without prejudice for plaintiff's failure to prosecute and
8 failure to obey a court order; and
- 9 3. The Clerk of Court is directed to close this case.

10
11
12 IT IS SO ORDERED.

13 Dated: November 9, 2025

14 
15 _____
16 UNITED STATES DISTRICT JUDGE
17
18
19
20
21
22
23
24
25
26
27
28